

FILED BY *[Signature]* O.C.

05 JUN 27 PM 4:08

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

ROBERT R. DI TROLIO  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

ALLISON DEVANTE and )  
JOREAL DEVANTE, )  
Plaintiff, )  
vs. ) No. 04-2700 BV  
LES BROWNLEE, SECRETARY OF THE )  
UNITED STATES ARMY, )  
Defendant. )

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ORDER GRANTING DEFENDANT'S MOTION TO STAY DISCOVERY

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Before the court is the May 26, 2005 motion of the defendant, Les Brownlee, Secretary of the United States Army, for an order granting his motion to stay discovery pending resolution of the Defendant Secretary's Motion to Dismiss, Doc. No. 11. The motion has been referred to the United States Magistrate Judge for determination. For the following reasons, the motion is granted.

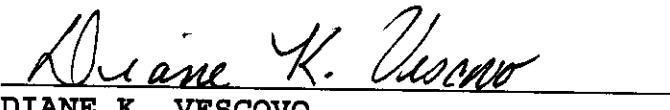
Pursuant to Local Rule 7.2(a)(2), responses to motions in civil cases are to be filed within fifteen days after service of the motion. The plaintiffs, Allison Devante and Joreal Devante, have not filed a response to this motion, and the time for responding has now expired.

Rule 7.2(a)(2) further provides that "[f]ailure to respond timely to any motion, other than one for requesting dismissal of a

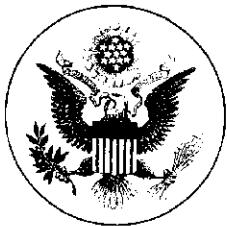
(16)

claim or action, may be deemed good grounds for granting the motion." In the absence of any response by the plaintiffs, Brownlee's motion to stay discovery pending resolution of his motion to dismiss is granted.

IT IS SO ORDERED this 27th day of June, 2005.

  
Diane K. Vescovo  
DIANE K. VESCOVO  
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF TENNESSEE



# Notice of Distribution

This notice confirms a copy of the document docketed as number 16 in case 2:04-CV-02700 was distributed by fax, mail, or direct printing on June 28, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT